

JUDGE WOODS UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

24 CV 0722 1

Maryann Meltse
Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

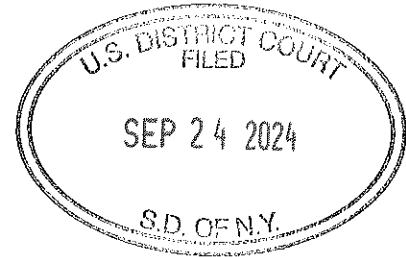
Delta Airlines Corporation
TD Bank Regional NY
Eastern District Court

COMPLAINT

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.



NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☒ Federal Question
- ☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Article 12 in Judge Keone failure in 6 Dockets
inclusive of 1:23 CV 06204 to grant prison of Motion
or Suppore ~~or~~ of March 5, 2024. Plus in 1:24-04311
failure to grant a hearing in November 9/13/2024 plus ^{UB}

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Marylou Melrose, is a citizen of the State of
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

New York

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, Delta Airlines, TD Airlines Corporation, is a citizen of the State of
(Defendant's name)

New York

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

New York

If the defendant is a corporation:

The defendant, Delta Airlines TD Airlines, is incorporated under the laws of the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) New York

and has its principal place of business in New York

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Maryann Maltre

First Name

Middle Initial

Last Name

18 Ringer Drive East North Ny 11331

Street Address

SUTHER

County, City

Delaware - (NYC)

State

Zip Code

631-644-5765

Telephone Number

Maryannmaltre100@gmail.com

Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: Delta Airlines Corporation
 First Name Last Name
Go Connell Foley LLP
 Current Job Title (or other identifying information)
875 Third Avenue
 Current Work Address (or other address where defendant may be served)
New York NY 10022
 County, City State Zip Code

Defendant 2: TD Bank Lyoral NYS Corporation
 First Name Last Name
Qu Duane Morris LLP
 Current Job Title (or other identifying information)
230 Park Avenue - Ste 1130
 Current Work Address (or other address where defendant may be served)
New York NY 10069
 County, City State Zip Code

Defendant 3: Rachel Kovner, Judge
 First Name Last Name
Eastern District Court 2
 Current Job Title (or other identifying information)
 Current Work Address (or other address where defendant may be served)
Sixth West Islip NY
 County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence:

Tampa
on Delta Airline from TAMPA → JFK on
March 10, 2024 red eye flight sexual assault

Date(s) of occurrence:

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Date + time of incident 3/10/2024, Plaintiff was
on a red eye flight of Delta Airlines in 18 middle
Seat whereas white male sitting in 18A
masturbated for 90 minutes while in flight.
His wife sat in middle seat.
Exonerated 9/13/2024 failure to grant
a hearing on Assault on plane and
within 60 days failure to grant Public
Officer Plaintiff Maryam Mottese, a.p.o.
on Holiday a hearing unjustified & prejudicial
while denying me Public Officer Plaintiff
findings in 60 days since June 2023.
It is a prejudicial continuation of failure to
Judicate + within Scope of process of
Kourae plus the defendants failure

non in person hearing determinations
 prejudicial while plaintiff offered
 in summons/complaint to stipulate
 to settle matters \$125,000. MYS came
 victims offers uninsured \$30,000 in
 considerations while Judiciary failure intentional
 failure direct Article 12 in Rachel Kourner.
 in lower court ASA consideration in 1:23CV0459
 6/2023 as well failure by Kourner to resolve

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Defamation in character @ date of incident
 and continued so in separate offense
 as of March 11, 2024, Leaving Florida back
 by MYS and failure by Veterans to knowingly
 to return losses of vacation from 3/9/2024-3/11/2024

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

The maximum considerations in Notice of
 Tort Claim in ~~date~~ in Flight Sexual offense
 willful & failure back @ TSA JKR
 failure to report.
 (2) Judiciary Complaint Submitted on Notice of
 Appeal 9/24/2024 1:24 CV 04311 RPK-UB

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

9/24/2024
 Dated

MaryAnn Meltzer
 Plaintiff's Signature

MaryAnn Meltzer
 First Name Middle Initial Last Name

19 Ringle Drive
 Street Address

East Northport NY 11731
 County, City State Zip Code

631-644-5765 maryannmeltzer1000@gmail.com
 Telephone Number Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Judicial Council of the District Court Circuit
Eastern

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The Rules for Judicial-Conduct and Judicial-Disability Proceedings, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on www.uscourts.gov.

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant:

Contact Address:

Daytime telephone:

2. Name(s) of Judge(s):

Court:

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

☒ Yes

☐ No

If "yes," give the following information about each lawsuit:

Court:

Case Number:

Docket number of any appeal to the 2nd Circuit: 23-7824 + Notice of Appeal

Are (were) you a party or lawyer in the lawsuit?

☒ Party

☐ Lawyer

☐ Neither

RECEIVED
2024 SEP 24 PM 2:50
U.S. COURT OF APPEALS
COURTIER

District Eastern to grant hearing on
1:23cv04359 + 1:24cv04311 KPKLD
2nd Circuit
paid to 9/23/2024
1:24-cv04311.
+ 1123cv00209
(USC 28 + Article 78)
Public Officer Rights
Lowest earnings
avoided since
8/20/2024.

Page 3
9/24/2024
Maryann Melkise

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

Maryann Melkise Public Office Filer no person
19 Ringle Drive
East Windsor, NJ 11731

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

5. **Declaration and signature:** Article 11, Article 4 Misconduct
in failure to grant hearing
I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

(Signature) Maryann Melkise (Date) 9/24/2024

- Komer (District Eastern) failure to grant hearings on 6 dockets filed as 6/20/2023 - 1:23 CV-04566 RPK LB as ABA Prone Origination Victim 1992 - 33RD Year ASA with notice of claim for person + notice of claim regarding in Plan Carroll v. Trump render 2/8/2024.

2/8/2024 is NYS Assembly Public Officer Regulated Sentence as Employee to ensure Pension as of 2022. Judiciary failures Article 28, USC 28, USC 18 Violations.

Supreme Court Sealed 130 offense on Deliberations reported 3/10/2024 - 90 minute Masterbushan whereas Judiciary Komer dismissed notice of claim 9/13/2024. Sign of retaliation by Judiciary. notice of claim filed. Judges Scope of practice is violated.

Page 2

Maryann Mattise & Judge Rachel Kovner
9/24/2024.

Re. dockets 1:23 CV 04359 - RPK LB - ASA
1:24 CV 06204 RPK LB - Anna T8 filing
1:24 CV 04311 RPK LB - Sexual offense

Violation Rule 12 - Plaintiff certified docket.

Violation of Rules AT 28 USC §§ 353-364 Judge
Scope of practice is preserved in her failures
to grant notice of claim + pension as of no
later than January 1, 2024 in 1:23 CV 06204
Maryann Mattise v. NYS et al as NYS failure to
bring offer of end of service, plus pension,
or grant Subpoena as of March 5, 2024 on
Kutzbrown + Mario Mattise in 1:23 CV 06204
to ensure pension of Maryann Mattise.

- Covered Judge is experiencing lack of empathy
and control of court room in enforceable instruments
plaintiff P.O. is entitled too. Please sanction
Eastern District as of June 2023 as ASA +
Bouns/Mattise arrest intention was on plaintiff
as of March 9, 2021. Maximum public integrity AS
but fines assessed on Kovner issued to plaintiff
Maryann Mattise.

Generated: Sep 23, 2024 2:33PM

Page 1/1

U.S. District Court**New York Eastern - Central Islip**Maryann Maltese
Central Islip, NY 11722

Receipt Date: Sep 23, 2024 2:33PM

Rcpt. No: 200004167

Trans. Date: Sep 23, 2024 2:33PM

Cashier ID: #CG

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
203	Notice of Appeal/Docketing Fee		1	605.00	605.00

CD	Tender	Amt
CA	Cash	\$605.00
Total Due Prior to Payment:		\$605.00
Total Tendered:		\$605.00
Total Cash Received:		\$605.00
Cash Change Amount:		\$0.00

Comments: Case No. 24-CV-4311

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.

Generated: Sep 23, 2024 2:33PM

Page 1/1

U.S. District Court**New York Eastern - Central Islip**

Receipt Date: Sep 23, 2024 2:33PM

Maryann Maltese
Central Islip, NY 11722

Rcpt. No: 200004167

Trans. Date: Sep 23, 2024 2:33PM

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Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.

From: ecf_bounces@nyed.uscourts.gov
Sent: Thursday, August 22, 2024 12:42 PM
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 1:24-cv-04311-RPK-LB Maltese v. Delta Airlines Corporation et al Order on Motion for Pre Motion Conference

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 8/22/2024 at 12:42 PM EDT and filed on 8/22/2024

Case Name: Maltese v. Delta Airlines Corporation et al

Case Number: 1:24-cv-04311-RPK-LB

Filer:

Document Number: No document attached

Docket Text:

ORDER: Defendant TD Bank Regional NYS Corporation's ("TD Bank's") [14] letter request for a pre-motion conference is denied, because such conferences are not required when one or more parties are proceeding *pro se*. See Individual Rule IV.A.1. Because of the straightforward nature of the grounds for dismissal that are set forth in the letter, the letter is converted to defendant's motion to dismiss. If TD Bank wishes to supplement the motion with additional briefing, it may do so by 8/29/2024. By that date, TD Bank shall also file a certificate of service and provide pro se plaintiff with any authorities and notices required by the local rules.

Plaintiff shall respond to both TD Bank's motion and defendant Delta Airlines Corporation's [13] motion by 9/19/2024. Defendants may file replies, if any, by 9/26/2024. Ordered by Judge Rachel P. Kovner on 8/22/2024. (NNW)

1:24-cv-04311-RPK-LB Notice has been electronically mailed to:

Samantha Mary Diorio sdiorio@connellfoley.com, mcruz@connellfoley.com, smdiorio@gmail.com

Yudi Katie Wang ywang@duanemorris.com, NYDocket@duanemorris.com,
autodocketny@duanemorris.com

1:24-cv-04311-RPK-LB Notice will not be electronically mailed to:

Maryann Maltese
19 Ringler Drive
East Northport, NY 11731

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: November 9, 2023

CV-23-0360

In the Matter of MARYANN
MALTESE,

Appellant,

v

DECISION AND ORDER
ON MOTION

NEW YORK STATE
LEGISLATURE et al.,
Respondents.

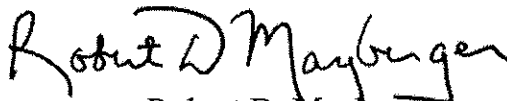
Motion to vacate dismissal of appeal and for extension of time to perfect appeal.

Upon the papers filed in support of the motion, and no papers having been filed in opposition thereto, it is

ORDERED that the motion is denied, without costs.

Egan Jr., J.P., Aarons, Ceresia and McShan, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Robert D. Mayberger". The signature is written in a cursive, flowing style.

Robert D. Mayberger
Clerk of the Court

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:24-cv-04311-RPK-LB**

Maltese v. Delta Airlines Corporation et al
Assigned to: Judge Rachel P. Kovner
Referred to: Magistrate Judge Lois Bloom
related Cases: 1:23-cv-04359-RPK-LB
1:24-cv-04736-RPK-LB
Cause: 28:1331 Fed. Question

Date Filed: 06/18/2024
Jury Demand: Plaintiff
Nature of Suit: 310 Airplane
Jurisdiction: Federal Question

Plaintiff

Maryann Maltese

represented by **Maryann Maltese**
19 Ringler Drive
East Northport, NY 11731
631-644-5765
PRO SE

V.

Defendant

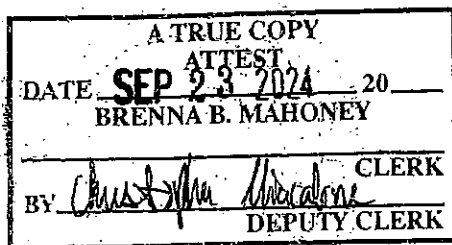
Delta Airlines Corporation

represented by **Samantha Mary Diorio**
Connell Foley LLP
875 Third Avenue
21st Floor
New York, NY 10022
212-307-3700
Fax: 212-542-3790
Email: sdiorio@connellfoley.com
ATTORNEY TO BE NOTICED

Defendant

TD Bank Regional NYS Corporation

represented by **Yudi Katie Wang**
Duane Morris LLP
230 Park Ave
Suite 1130
New York, NY 10169
212-404-8740
Email: ywang@duanemorris.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED



Date Filed	#	Docket Text
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06/18/2024	<u>1</u>	COMPLAINT against Delta Airlines Corporation, filed by Maryann Maltese. (Attachments: # <u>1</u> Civil Cover Sheet) (KD) (Entered: 06/24/2024)
06/18/2024	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Maryann Maltese. (KD) (Entered: 06/24/2024)
06/24/2024	<u>3</u>	Clerk's Notice Re: Consent. A United States Magistrate Judge has been assigned to this case and is available to conduct all proceedings. In accordance with Rule 73 of the Federal Rules of Civil Procedure, Local Rule 73.1, the parties are notified that if all parties consent, the assigned Magistrate Judge is available to conduct all proceedings in this action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to this Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. Any party may withhold its consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. The form may also be accessed at the following link: https://img.nyed.uscourts.gov/files/forms/MJConsentForm.pdf (KD) (Entered: 06/24/2024)
06/25/2024		ORDER: Plaintiff's <u>2</u> application to proceed <i>in forma pauperis</i> is denied without prejudice because it does not provide sufficient information to permit the Court to determine whether plaintiff is indigent. If plaintiff wishes to proceed <i>in forma pauperis</i> , plaintiff is directed to file, on or before 7/9/2024, a complete and accurate Long-Form IFP Application providing additional information necessary to make an indigency determination. If plaintiff fails to file the Long Form IFP Application (or to pay the filing fee) by 7/9/2024, the case may be dismissed without prejudice. The Clerk of Court is directed to mail a copy of this docket order and of the Long Form IFP Application to plaintiff. Ordered by Judge Rachel P. Kovner on 6/25/2024. (NNW) (Entered: 06/25/2024)
06/26/2024	<u>4</u>	Letter from Maryann Maltese to Judge Kovner dated 6/26/2024 re: Judiciary Order dated 6/25/2024. (IH) (Entered: 06/27/2024)
06/26/2024	4 <u>5</u>	MOTION for Leave to Proceed in forma pauperis by Maryann Maltese. (IH) (Entered: 06/27/2024)
06/28/2024	<u>6</u>	Summons Issued as to Delta Airlines Corporation, TD Bank Regional NYS Corporation. (IH) (Entered: 06/28/2024)
06/28/2024	<u>7</u>	FILING FEE: \$ 405.00, receipt number 200003765 (IH) (Entered: 06/28/2024)
07/01/2024	<u>8</u>	SUMMONS Returned Executed by Maryann Maltese. Delta Airlines Corporation served on 6/28/2024, answer due 7/19/2024; TD Bank Regional NYS Corporation served on 6/28/2024, answer due 7/19/2024. (IH) (Entered: 07/02/2024)
07/16/2024	<u>9</u>	Letter MOTION for Extension of Time to File Answer re <u>6</u> Summons Issued, <u>1</u> Complaint by TD Bank Regional NYS Corporation. (Wang, Yudi) (Entered: 07/16/2024)
07/17/2024	<u>10</u>	ORDER: Defendant TD Bank, N.A. requests an extension of time to respond to <i>pro se</i> plaintiff's complaint. ECF No. <u>9</u> . Plaintiff does not consent to the request. Nevertheless, as initial requests for extensions of time are generally granted as a courtesy, the request is granted. Defendant shall respond to the complaint by August 21, 2024. Any party seeking to file a dispositive motion shall comply with

		Judge Kovner's Individual Rules. <u>See attached Order</u> . Ordered by Magistrate Judge Lois Bloom on 7/17/2024. (VP) (Entered: 07/17/2024)
07/17/2024	<u>11</u>	Letter MOTION for Extension of Time to File Answer re <u>1</u> Complaint <i>or Otherwise Move</i> by Delta Airlines Corporation. (Diorio, Samantha) (Entered: 07/17/2024)
07/18/2024	<u>12</u>	ORDER: Defendant Delta Airlines, Inc. requests an extension of time to respond to <i>pro se</i> plaintiff's complaint. ECF No. <u>11</u> . Plaintiff does not consent to the request. Nevertheless, as initial requests for extensions of time are generally granted as a courtesy, the request is granted. Defendant shall respond to the complaint by August 21, 2024. Any party seeking to file a dispositive motion shall comply with Judge Kovner's Individual Rules. <u>See attached Order</u> . Ordered by Magistrate Judge Lois Bloom on 7/18/2024. (VP) (Entered: 07/18/2024)
08/21/2024	12 <u>13</u>	MOTION to Dismiss for Failure to State a Claim , MOTION to Dismiss for Lack of Jurisdiction by Delta Airlines Corporation. (Attachments: # <u>1</u> Exhibit Local Rules for Pro Se Parties, # <u>2</u> Declaration Declaration of Samantha M. Diorio, Esq., # <u>3</u> Exhibit Complaint, # <u>4</u> Exhibit Copy of Case Law, # <u>5</u> Memorandum in Support Memo of Law in Support, # <u>6</u> Certificate of Service Certificate of Service) (Diorio, Samantha) (Entered: 08/21/2024)
08/21/2024	<u>14</u>	Letter MOTION for pre motion conference by TD Bank Regional NYS Corporation. (Wang, Yudi) (Entered: 08/21/2024)
08/21/2024	<u>15</u>	Corporate Disclosure Statement by TD Bank Regional NYS Corporation identifying Other Affiliate TD Group US Holdings LLC, Other Affiliate TD Bank US Holding Company, a Delaware corporation, Other Affiliate The Toronto-Dominion Bank, a Canadian-chartered bank for TD Bank Regional NYS Corporation. (Wang, Yudi) (Entered: 08/21/2024)
08/22/2024		ORDER: Defendant TD Bank Regional NYS Corporation's ("TD Bank's") <u>14</u> letter request for a pre-motion conference is denied, because such conferences are not required when one or more parties are proceeding <i>pro se</i> . <i>See</i> Individual Rule IV.A.1. Because of the straightforward nature of the grounds for dismissal that are set forth in the letter, the letter is converted to defendant's motion to dismiss. If TD Bank wishes to supplement the motion with additional briefing, it may do so by 8/29/2024. By that date, TD Bank shall also file a certificate of service and provide <i>pro se</i> plaintiff with any authorities and notices required by the local rules. Plaintiff shall respond to both TD Bank's motion and defendant Delta Airlines Corporation's <u>13</u> motion by 9/19/2024. Defendants may file replies, if any, by 9/26/2024. Ordered by Judge Rachel P. Kovner on 8/22/2024. (NNW) (Entered: 08/22/2024)
08/29/2024	<u>16</u>	CERTIFICATE OF SERVICE by TD Bank Regional NYS Corporation re Order on Motion for Pre Motion Conference,, (Wang, Yudi) (Entered: 08/29/2024)
09/05/2024	<u>17</u>	Notice of MOTION for Hearing by Maryann Maltese. (IH) (Entered: 09/09/2024)
09/13/2024		ORDER: Plaintiff's <u>17</u> motion for a hearing, which restates allegations made in her complaint, is denied. Plaintiff is reminded that per the Court's order entered on 8/22/2024, she shall respond to defendants' motions to dismiss by 9/19/2024.

	Ordered by Judge Rachel P. Kovner on 9/13/2024. (NNW) (Entered: 09/13/2024)
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RECEIVED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 23 2024 ★

FORM 1

NOTICE OF APPEAL

LONG ISLAND OFFICE

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT

FOR THE

2ND DISTRICT OF Eastern

Maryann Maltex
-v-
Delta Airlines Corporation
TD Bank National NYSCorporation

NOTICE OF APPEAL

1:24 CV 04311
Docket No.

Notice is hereby given that

Maryann Maltex
(party)

hereby appeals to the United States Court of Appeals for the Second Circuit from the decision

(describe it) 9/13/2024 Judge's order to dismiss the complaint
as Detectives failed to "investigate" Public Officer Complaint public
entered in this action on the 13 day of September, 20 24. Master berkey
on flight.

Maryann Maltex
Signature

Maryann Maltex
Printed Name

19 Ringle Drive
Address

East Port Hope, NY 11731

(631) 644-5767
Telephone No. (with area code)

Date: 9/23/2024

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:23-cv-04566-RPK-LB**

Maltese v. Brown et al
Assigned to: Judge Rachel P. Kovner
Referred to: Magistrate Judge Lois Bloom
related Cases: 1:23-cv-04940-RPK-LB
1:23-cv-06204-RPK-LB
1:24-cv-04736-RPK-LB
1:24-cv-04311-RPK-LB

Date Filed: 06/20/2023
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Cause: 28:1331 Fed. Question

Plaintiff

Maryann Maltese

represented by **Maryann Maltese**
19 Ringler Drive
East Northport, NY 11731
631-644-5765
PRO SE

V.

Defendant

Keith Brown
New York State Assemblyman

represented by **Lori L. Pack**
Lori L. Pack
300 Motor Parkway
Hauppauge, NY 11788
631-231-2424
Email: llpesq@optonline.net
ATTORNEY TO BE NOTICED

Robert Edward Morelli
Office of the New York State Attorney
General
300 Motor Parkway, Suite 230
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631-231-2179
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ATTORNEY TO BE NOTICED

Defendant

Ken Morgulles

Defendant

Brian Shenker

Defendant

Jeff & James Izzo

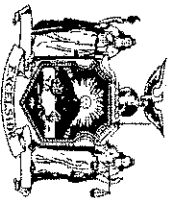
Date Filed	#	Docket Text
06/20/2023	<u>1</u>	COMPLAINT against Keith Brown, Jeff & James Izzo, Ken Morgulles, Brian Shenker, filed by Maryann Maltese. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit, # <u>3</u> State Court Attorney Affirmation, # <u>4</u> State Court Defendant Affirmation) (KD) Modified on 9/15/2023 (SR). (Entered: 06/23/2023)
06/20/2023	<u>2</u>	Summons Issued as to Keith Brown, Jeff & James Izzo, Ken Morgulles, Brian Shenker. (KD) Modified on 9/15/2023 (SR). (Entered: 06/23/2023)
06/20/2023	<u>3</u>	FILING FEE: \$ 402, receipt number 200001847 (KD) (Entered: 06/23/2023)
06/23/2023	<u>4</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent . The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (KD) (Entered: 06/23/2023)
06/27/2023	<u>5</u>	Letter Motion to accept Exhibits by Maryann Maltese. (EG) (Entered: 06/29/2023)
06/27/2023	<u>6</u>	AFFIDAVIT of Service for Complaint for a Civil Case served on Keith Brown, Ken Morgulles, Brian Shenker, Jeff & James Izzo on June 20, 2023, filed by Maryann Maltese. (EG) Modified on 9/15/2023 (SR). (Entered: 06/29/2023)
06/27/2023	<u>7</u>	Motion to Accept the Exhibits by Maryann Maltese. (EG) (Entered: 06/30/2023)
06/30/2023	<u>9</u>	Letter from Maryann Maltese dated 6/30/2023 re: accepting exhibits. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24) (IH) (Entered: 07/07/2023)
07/06/2023	<u>8</u>	Notice of Related Cases: 23-cv-4359-RPK-LB and 23-cv-4940-RPK-LB The Case was directly assigned as a related Pro Se/Habeas Case. (DC) (Entered: 07/06/2023)
07/19/2023	<u>10</u>	NOTICE of Received Acknowledgement letter by Maryann Maltese (IH) (Entered: 07/20/2023)
07/24/2023	<u>11</u>	Letter from Maryann Maltese dated 7/24/2023 re: Evidence on Motion to dismiss by Defendants. (IH) (Entered: 07/25/2023)
08/02/2023	<u>12</u>	NOTICE of Support of Plaintiffs Motion to Dismiss filed by Maryann Maltese (IH) (Entered: 08/03/2023)

08/14/2023	<u>13</u>	Letter from Maryann Maltese dated 8/11/2023 re: evidences. (IH) (Entered: 08/15/2023)
08/15/2023	<u>14</u>	Letter from Maryann Maltese dated 8/15/2023 re: motion to dismiss. (IH) (Entered: 08/15/2023)
08/17/2023	<u>15</u>	Letter from Maryann Maltese dated 8/17/2023 re: evidences on Plaintiffs Motion to accept the evidences immediately (IH) (Entered: 08/18/2023)
09/07/2023	<u>16</u>	<p>ORDER: <i>Pro se</i> plaintiff filed the complaint in this action and paid the filing fee on June 20, 2023. ECF Nos. <u>1</u> , <u>2</u> . Pursuant to Federal Rule of Civil Procedure 4(m), plaintiff was required to serve defendants and file proof of proper service of process with the Court by September 18, 2023.</p> <p>On June 27, 2023, plaintiff filed proof of service on defendant Brown. ECF No. <u>6</u> . However, the affidavit of service does not demonstrate proper service on defendant Brown for the reasons set forth in the <u>attached Order</u>. Plaintiff has not filed proof of service of process on the remaining defendants.</p> <p>In light of plaintiff's <i>pro se</i> status, the Court extends the time to properly serve defendants. Plaintiff must properly serve defendants in accordance with Rule 4 and file proof of proper service on all defendants by October 18, 2023, or I shall recommend that this case should be dismissed without prejudice. Fed. R. Civ. P. 4(m). See <u>attached Order</u>. Ordered by Magistrate Judge Lois Bloom on 9/7/2023. (VP) (Entered: 09/07/2023)</p>
09/15/2023	<u>17</u>	AFFIDAVIT of Service for 9/7/2023 Order filed by Maryann Maltese. (LJ) (Entered: 09/15/2023)
09/15/2023	<u>18</u>	Summons Issued as to Keith Brown, Jeff & James Izzo, Ken Morgulles, Brian Shenker. (IH) (Entered: 09/15/2023)
09/20/2023	<u>19</u>	Letter from Maryann Maltese to dated 9/20/2023 re: Motion to dismiss (Defendant) due date 9/18/2023, cross motion, and summons issued 9/15/2023. (IH) (Entered: 09/21/2023)
09/25/2023	<u>20</u>	SUMMONS Returned Executed by Maryann Maltese. Keith Brown served on 9/25/2023, answer due 10/16/2023. (IH) (Entered: 09/27/2023)
09/26/2023	<u>21</u>	Letter from Maryann Maltese to Judge Kovner dated 9/26/2023 re: updated defendants address. (IH) (Entered: 09/27/2023)
09/29/2023	<u>22</u>	<p>ORDER: On September 27, 2023, plaintiff provided corrected addresses for defendants Kenneth Brown and Jeff and James Izzo. ECF No. <u>21</u> . The Clerk of Court is respectfully directed to reissue summonses for these defendants at the addresses provided in plaintiff's letter at ECF No. <u>21</u> , and to amend the docket accordingly. Plaintiff also filed an unsigned affidavit stating that she served defendant Brown "et al" by serving the summons on the Suffolk County Sheriffs Office, and attached her payment receipt. ECF No. <u>20</u> , <u>21</u> . While plaintiff may have engaged the Suffolk County Sheriff's Office to effectuate service of process on defendants, plaintiff must also file proof that defendants were properly served by October 18, 2023, or I shall recommend that this case should be dismissed without prejudice. Fed. R. Civ. P. 4(m). See <u>attached Order</u>. Ordered by Magistrate Judge Lois Bloom on 9/29/2023. (VP) (Entered: 09/29/2023)</p>

10/03/2023	<u>23</u>	Summons Reissued as to Keith Brown, Jeff & James Izzo. (IH) (Entered: 10/03/2023)
10/04/2023	<u>24</u>	Letter from Maryann Maltese to Judge Kovner dated 10/4/2023 re: Summons, Evidences, Conspiracy by Slate Officers. (IH) (Entered: 10/05/2023)
10/12/2023	<u>25</u>	Letter to Judge Kovner re: Pre-Motion Request by Keith Brown (Attachments: # <u>1</u> Affidavit of Service) (Pack, Lori) (Entered: 10/12/2023)
10/13/2023		ORDER: The <u>25</u> motion for a pre-motion conference is denied, because such conferences are not required when one or more parties are proceeding pro se. See Judge Kovner's Individual Rule IV.A.1. Defendants may file a motion to dismiss the complaint by 11/10/2023. Plaintiff shall file a brief in opposition by 12/8/2023. Defendants may file a reply brief, if any, by 12/22/2023. Ordered by Judge Rachel P. Kovner on 10/13/2023. (NNW) (Entered: 10/13/2023)
10/16/2023	<u>26</u>	AFFIDAVIT/AFFIRMATION upon pro-se litigant of Judge Kovner's rules by Keith Brown (Pack, Lori) (Entered: 10/16/2023)
10/18/2023	<u>27</u>	Letter from Maryann Maltese to Judge Kovner dated 10/18/2023 re: Motion on Pension rights and Civil remedy of Employer negligences are within "conspiracy" violations 18 USC rights of plaintiff. (IH) (Entered: 10/18/2023)
10/18/2023	<u>28</u>	SUMMONS Returned Executed by Maryann Maltese. Keith Brown served on 10/5/2023, answer due 10/26/2023. (IH) (Entered: 10/18/2023)
10/26/2023	<u>29</u>	NOTICE of Proof of Service and Evidences on the record filed by Maryann Maltese (IH) (Entered: 10/27/2023)
10/26/2023	<u>30</u>	Letter from Maryann Maltese dated 10/20/2023 re: Judges Motion to dismiss, additional proof submitted and case. (IH) (Entered: 10/27/2023)
11/02/2023	<u>31</u>	BRIEF FOR RESPONDENTS-APPELLANTS filed by Maryann Maltese (IH) (Entered: 11/03/2023)
11/07/2023		ORDER: Plaintiff has e-mailed a variety of documents to the chambers e-mail address. Documents that are e-mailed to chambers are not made part of the record in the case and will therefore not be considered in deciding the case. The only documents that will be considered in this case are documents that are filed on the case docket, which makes the documents part of the record in plaintiff's case. Consistent with the courthouse rules governing pro se plaintiffs, plaintiff must submit documents to be filed on the case docket through one of the following methods: (1) visiting the Clerk's office; (2) placing the documents with time-stamps into the drop box by the Court's security office, which is monitored by the Clerk's Office; or (3) physically mailing submissions to the Pro Se Office, USDC-EDNY, 225 Cadman Plaza East, Brooklyn, NY 11201. Neither party in this case should send any additional communications related to this case to the chambers e-mail address. For more information, plaintiff may contact the Eastern District of New York's Pro Se Office at (718) 613-2665 or by visiting https://www.nyed.uscourts.gov/pro-se-office . Ordered by Judge Rachel P. Kovner on 11/7/2023. (NNW) (Entered: 11/07/2023)

11/07/2023	<u>32</u>	NOTICE of Appearance by Lori L. Pack on behalf of Keith Brown (aty to be noticed) (Pack, Lori) (Entered: 11/07/2023)
11/07/2023	<u>33</u>	Notice of MOTION to Dismiss for Failure to State a Claim by Keith Brown. (Attachments: # <u>1</u> Exhibit Notice to pro-se litigant, # <u>2</u> Declaration of Lori L. Pack, # <u>3</u> Exhibit A - complaint in 23cv4566, # <u>4</u> Exhibit B - complaint in 23cv6204, # <u>5</u> Memorandum in Support of Motion to Dismiss, # <u>6</u> Affidavit of Service) (Pack, Lori) (Entered: 11/07/2023)
12/19/2023		ORDER: On 10/13/2023, the Court directed plaintiff to file a brief in opposition to defendants' <u>33</u> motion to dismiss by 12/8/2023. The deadline has passed and plaintiff has not filed a brief in opposition. The Court <i>sua sponte</i> grants plaintiff a <i>nunc pro tunc</i> extension to respond to the <u>33</u> motion to dismiss by 12/26/2023. If plaintiff fails to respond by that date, the Court will treat the motion as fully briefed. If plaintiff files a response, defendants may file a reply, if any, by 1/9/2024. Ordered by Judge Rachel P. Kovner on 12/19/2023. (NNW) (Entered: 12/19/2023)
12/28/2023	<u>34</u>	Letter from Maryann Maltese to Judge Kovner dated 12/28/2023 re: Brief. (IH) (Entered: 12/28/2023)
12/28/2023	<u>35</u>	NOTICE of Brief filed by Maryann Maltese (Attachments: # <u>1</u> Appendix) (IH) (Entered: 12/28/2023)
01/02/2024	<u>36</u>	NOTICE of Appearance by Robert Edward Morelli on behalf of Keith Brown (aty to be noticed) (Morelli, Robert) (Entered: 01/02/2024)
01/02/2024	<u>37</u>	REPLY in Support re <u>33</u> Notice of MOTION to Dismiss for Failure to State a Claim filed by Keith Brown. (Attachments: # <u>1</u> Exhibit Transcript of proceedings dismissing actions, # <u>2</u> Exhibit copy of filing injunction against Plaintiff in State Court, # <u>3</u> Affidavit of service) (Morelli, Robert) (Entered: 01/02/2024)
01/05/2024	<u>38</u>	Letter from Maryann Maltese to Judge Kovner dated 12/28/2023 re: brief submitted on 12/6/2023. (IH) (Entered: 01/08/2024)
02/01/2024	<u>39</u>	Letter from Maryann Maltese dated 2/1/2024 re: Defendants Motion to Dismiss - Revise the Motion. (IH) (Entered: 02/02/2024)
02/01/2024	<u>40</u>	Letter from Maryann Maltese dated 2/1/2024 re: Defendants Motion to Dismiss - Revise. (IH) (Entered: 02/02/2024)
02/05/2024	<u>41</u>	MOTION for Order to Show Cause for <i>Preliminary Injunction and</i> , MOTION for Temporary Restraining Order by Maryann Maltese. (IH) (Entered: 02/05/2024)
02/06/2024		ORDER: The <u>41</u> motion for a preliminary injunction and temporary restraining order is denied. Temporary restraining orders ("TRO") and preliminary injunctions are "extraordinary and drastic" remedies. <i>Mazurek v. Armstrong</i> , 520 U.S. 968, 972 (1997) (citation omitted). The standard for granting a TRO is the same as for a preliminary injunction. <i>See Davis v. Mendoza</i> , No. 23-CV-5634, 2023 WL 5486246, at *1 (E.D.N.Y. Aug. 24, 2023). A party seeking injunctive relief through either a TRO or a preliminary injunction must establish "(1) a likelihood of success on the merits; (2) that the plaintiff is likely to suffer irreparable injury in the absence of an injunction; (3) that the balance of hardships tips in the plaintiff's favor; and (4) that the public interest would not be disserved by the issuance of the injunction." <i>Res. Grp. Int'l Ltd. v. Chishti</i> , No. 23-286, 2024

		<p>WL 220223, at *5 (2d Cir. Jan. 22, 2024) (citation, quotation marks, and brackets omitted). The "most important" of these requirements is irreparable harm. <i>Faiveley Transp. Malmö AB v. Wabtec Corp.</i>, 559 F.3d 110, 118 (2d Cir. 2009). The harm must be "actual and imminent," not "remote or speculative." <i>Dexter 345 Inc. v. Cuomo</i>, 663 F.3d 59, 63 (2d Cir. 2011) (quoting <i>Tom Doherty Assocs. v. Saban Ent., Inc.</i>, 60 F.3d 27, 37 (2d Cir. 1995)). Here, plaintiff's motion appears to assert that defendant Brown has failed to abide by his oath as a public official. Even assuming plaintiff has satisfied the other requirements for obtaining a preliminary injunction, she has failed to show a likelihood of harm that is "actual and imminent." <i>Dexter</i>, 663 F.3d at 63. Therefore, her requests for a temporary restraining order and a preliminary injunction are denied. Although plaintiff paid the filing fee to bring the action, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore <i>in forma pauperis</i> status is denied for the purpose of an appeal. See <i>Coppedge v. United States</i>, 369 U.S. 438, 444-45 (1962). Ordered by Judge Rachel P. Kovner on 2/6/2024 (NNW). (Entered: 02/06/2024)</p>
02/06/2024	<u>42</u>	Letter regarding Plaintiff's subpoenas by Keith Brown (Attachments: # <u>1</u> Exhibit A - Subpoena in Index 23-cv-4566, # <u>2</u> Exhibit B - Subpoena in Index 23-cv-6204) (Morelli, Robert) (Entered: 02/06/2024)
02/06/2024	<u>43</u>	AFFIDAVIT of Service for Subpoena, filed by Maryann Maltese. (IH) (Entered: 02/06/2024)
02/23/2024	<u>44</u>	Letter from Maryann Maltese dated 2/23/2024 re: Subpoena. (IH) (Entered: 02/26/2024)
03/19/2024	<u>45</u>	NOTICE of Evidences filed by Maryann Maltese (IH) (Entered: 03/20/2024)
03/22/2024	<u>46</u>	NOTICE of Evidences filed by Maryann Maltese (IH) (Entered: 03/22/2024)
04/09/2024	<u>47</u>	NOTICE of Evidences on Motion to Show Cause filed by Maryann Maltese (IH) (Entered: 04/12/2024)
05/10/2024	<u>48</u>	NOTICE of Evidences on Motion and Subpoena of March 5, 2024 filed by Maryann Maltese (IH) (Entered: 05/13/2024)
06/06/2024	<u>49</u>	NOTICE of Motion filed by Maryann Maltese (IH) (Entered: 06/06/2024)
06/10/2024	<u>50</u>	Letter opposing Plaintiff's "notice of motion" by Keith Brown (Attachments: # <u>1</u> Affidavit of Service) (Morelli, Robert) (Entered: 06/10/2024)



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
SUFFOLK REGIONAL OFFICE

January 2, 2024

Via ECF
Hon. Rachel Kovner
United States District Court
225 Cadman Plaza East
Courtroom 4E-N
Brooklyn, New York 11201

Re: *Maltese v. Brown et al.*, 1:23-CV-04566
Maltese v. Governor of NYS et al., 1:23-CV-06204

Dear Honorable Judge Kovner:

The undersigned represents the State Defendants in the two above-captioned cases pending before this Court. I write to advise the Court that on December 5, 2023, the Honorable Justice David T. Reilly, of New York State Supreme Court for the County of Suffolk, dismissed five lawsuits filed by Plaintiff Maryann Maltese against a variety of State and non-State defendants.¹ A copy of the transcript from these proceedings, which was so ordered by Justice Reilly, is attached here as Exhibit A, and the State Defendants respectfully request that the Court take judicial notice of it. *See Global Network Commc'ns, Inc. v. City of New York*, 458 F.3d 150, 157 (2d Cir. 2006).

As reflected in that transcript, these now-dismissed suits contained a variety of claims which overlap significantly—if not entirely—with the allegations raised in Plaintiff's two actions currently pending before this Court, and further support Defendants' arguments in support of dismissal here.

In addition to dismissing these five suits, Justice Reilly issued a filing injunction against Plaintiff, prohibiting her from "bringing or filing any further legal proceedings, actions or motions in the Courts of the State of New York without prior permission from this Court, or from the appropriate appellate court." A copy of the injunction issued in the case bearing Index No. 617993/2023 is attached here as Exhibit B, and the State Defendants respectfully request that the Court take judicial notice of it as well.

¹ The suits dismissed on December 5, 2023 were: (1) *Maltese v. Brown, et al.*, Index No. 617993/2023 (Sup. Ct. Suffolk Cnty.); (2) *Maltese v. Brown, et al.*, Index No. 205772/2022 (Sup. Ct. Suffolk Cnty.); (3) *Maltese v. Raia, et al.*, Index No. 609127/2023 (Sup. Ct. Suffolk Cnty.); (4) *Maltese v. NY Commission on Ethics and Lobbying, et al.*, Index No. 624815/2023 (Sup. Ct. Suffolk Cnty.); and (5) *Maltese v. NYS Unified Court System*, Index No. 607926/2023 (Sup. Ct. Suffolk Cnty.).

The State Defendants thank the Court for its attention to this matter, and look forward to the resolution of these two actions.

Respectfully submitted,

Robert E. Morelli

Assistant Attorney General

CC:

MaryAnn Maiese
19 Ringler Drive
E. Northport, N.Y. 11731

Exhibit



Office of
Victim Services

Claim Application and Instructions

How to Apply for Compensation

Who can apply for compensation?

Innocent victims of crime, certain relatives, dependents, legal guardians and eligible Good Samaritans can apply to the Office of Victim Services (OVS) for compensation of out-of-pocket expenses not covered by insurance or other resources.

What kind of expenses can I get compensated for?

OVS offers compensation related to personal injury, death and loss of essential personal property.

The specific expenses OVS may cover include:

- Medical, pharmacy and counseling expenses
- Loss of Essential Personal Property (*up to \$500, including \$100 for cash*)
- Burial or Funeral Expenses (*up to \$6,000*)
- Lost Wages or Lost Support (*up to \$30,000*) (*Parents or guardians of hospitalized minor children may be eligible for this benefit.*)
- Transportation (court/medical)
- Occupational/Vocational Rehabilitation
- Security Devices and DV Shelter Costs
- Crime scene clean-up (*up to \$2,500*)
- Good Samaritan property losses (*up to \$5,000*)
- Moving expenses (*up to \$2,500*)

How do I ask for compensation?

Send us your completed OVS application along with copies of:

- Police reports
- Medical bills
- Correspondence with insurance companies or benefits plan saying if they will cover your loss
- Insurance cards
- Receipts for essential personal property
- Death certificate and funeral contract
- Victim's birth certificate
- Proof of age (driver's license, birth certificate etc.)
- Legal guardianship papers

What if I don't have some of the papers OVS needs?

Send your application in right away. You can send the other documents later.

What if my property was lost, damaged or destroyed because of the crime?

If you are under 18, 60 or over, disabled or were injured, you may apply for benefits to replace your *essential* personal property or cash that was not covered by any other resource.

Essential means necessary for your health and welfare, like eyeglasses and clothes.

What if I move?

Send OVS a signed letter right away. Tell us your new address and phone number. Also let us know if your email address changes.

Who can sign the claim?

Generally, the victim must sign the claim. However, if the victim is under 18, or is physically or mentally incapable of signing, then the legal guardian (the person receiving the benefits) must fill out section 2 of the claim and sign the claim.

If the victim died, the person asking for benefits must fill out section 2 of the claim and sign the claim.

Is there another way to apply?

Yes. Visit ovs.ny.gov to access the secure Victim Service Portal (VSP) and file an application on line.

Do I have to fill out the attached HIPPA form?

Yes. Fill out one HIPAA form for **each** service provider. You can photocopy a blank form to make extra copies.

80 S. Swan Street
Albany, NY 12210-8002
(518) 457-8727

ovs.ny.gov

55 Hanson Place
Brooklyn, NY 11217-1523
(718) 923-4325

800-247-8035